

What You Need To Know Before You Start the Divorce Process Order Your Divorce Checklist Now...Take Control!

The first thing you need to know is that the grass is not greener on the other side and unless you fix or repair yourself your next mate will inherit the same problems you have just left.

So, if your marriage is on the rocks make every effort possible to fix it before you consider a divorce.

This includes, but is not limited to, separate and/or family counseling or therapy with qualified professionals to assist you in repairing your relationship. Remember, this means lots of work on both your parts. Usually those still in love can repair their relationship. Where there is a will there is a way!. Never stay together for the benefit of children. Don't forget your children suffer the same or more pain that each of you are in. See to it that they get qualified therapy or help as well. Separation is very painful and each party needs time to grieve.

If you are like most people considering a divorce you are probably are confused or worried about what to do first.

It's simple! For starters order my "Divorce Checklist" - [http://www.divorce-familylaw-lawyer.com/orderpdf_caldivadvice.html] to order. The list contains a comprehensive list of issues you need to know about.

You may also send a check/money order for \$9.95 to my office.at:

19528 Ventura Blvd., #572, Tarzana, CA 91356. Make sure you include your full name, address, phone number and email address.

I have prepared a checklist for you as these days you better get the right information before you do anything!

Even if you already have or are seeking an attorney you should have my checklist to go over those issues on the list that involve your matter with your lawyer. Once you have the checklist you will no longer wonder what your spouse's attorney knows that either your attorney or you do not. Yes, you will have to pay for the consultation with an attorney, but it will save you thousands of dollars in the end.

You may also call my office as I offer a \$39.95 phone consultation fee for answers to your simple questions.

800.595.2948

WARNING: If you are going to seek custody of your child or children, do not move out of your residence or attempt to leave the state with your children. Some judges

will hold this against you and living in a one-room apartment on a temporary or permanent basis may also affect your rights to custody. Do not let a temporary situation affect the outcome of your divorce settlement and life goals.

Most people hire an attorney and believe the attorney knows what he or she is doing and is an experienced negotiator. **WRONG!**

Take charge of your case. With your checklist, ask lots of questions and get your attorney to contact your spouse's attorney and get right into mediation. Of course, both sides must agree to voluntary mediation and do not just accept any mediator. The mediator must be a person respected by both sides as one who knows the law and is fair based on the evidence your attorney provides. Just do it!

Yes, your attorney must perform a certain amount of discovery in order to obtain evidence to present to any mediator. The discovery process can be simple or extremely costly depending on your spouse's cooperation.

If you have or do not have an attorney the most important word in your divorce is "**MEDIATION**".

WHY YOU SAY? Because it saves you lots of time, stress and most importantly money. I mean lots of money! In fact, the more you and your spouse are fighting the more you both need mediation.

Mediating complicated issues requires factual information usually obtained through discovery. Discovery consists of the taking of depositions, subpoenaing of documents, records or witnesses all for the purpose of gathering facts. The gathering of this evidence is most important so that the mediator will have facts on which to base his decision. Hopefully, both parties will cooperate in the production of all relevant documentation to further reduce costs and attorney fees.

I would be happy to mediate your matter just give my office a call for further details at: (800) 595-2945.

If you are seeking a separation instead of a divorce, know that the costs and the amount of attorney's fees are usually the same. The only difference is that at the end of the process you are still married. If you later decide to divorce then you will incur additional costs and attorneys fees to do so.

Now that you have my checklist, your next step is to hire a compassionate and qualified attorney you can afford. Remember, the retainer most attorneys require upon signing up is usually the smallest amount you will eventually be obligated to pay.

At \$200 or more per hour it does not take long for you to build up a rather substantial legal bill. That's why I want you to take charge of your case. Do not be afraid to tell

your attorney what you need, want and expect of him or her.

You expect to hire an attorney with malpractice insurance. You expect to hire an attorney who is experienced and qualified. You do not need a state certified family law specialist to complete your divorce unless you want to hire the most expensive attorneys around. They can command more because they are certified by their state as specialists who have received additional education and passed their states certification process.

You further expect to hire an attorney who will call you back within 24 hours and provide you with copies of all correspondence, evidence and pleading in your matter on a regular basis.

You take charge of your case by telling your attorney not to continuously perform legal services without your knowledge or consent. In addition, you do not want an attorney to file motions with the court that will result in the court order saying, " We will take that matter up at the time of trial". This is what I call the "Milkman Syndrome". An attorney, who just continues to work on non-essential matters, files motions, sends lots of letters, holds lots of conferences and milks the party's estate.

Find out which lawyer is going to handle your matter. Will it be the first or second year man or the one you are interviewing at the firm?

Remember, not every attorney who handles divorce matters has the same training or experience.

My office is available to pre-screening your next attorney. This will save you thousand of dollars and lots of stress. Just call my office for details: (800) 595-2948.

When in doubt mediate and continue to mediate until you have obtained a Marital Settlement Agreement signed by both parties and their respective attorneys.

Naturally, any mediation requires the mutual consent of both spouses and if one will not consent then you are in for the "E Ticket" ride at Disneyland, which may end in the U.S. Bankruptcy Court.

Most qualified attorneys require an advanced payment or retainer before they will begin working on your matter. This usually ranges from \$1,500 to \$10,000 ever increasing by the amount of their hourly fee. When you run out of funds your attorney will run to court in an attempt to be relieved as your attorney of record, which is usually always granted. Attorney hourly fees run from \$150 to \$600 per hour. Yes, I said \$600 per hour.

Very Important! Make sure that if you have funds in a joint account that you obtain your share of those funds. Experienced qualified attorneys do not take matters on contingency or on the hope that someday he will obtain a court order reimbursing

you for your attorney's fees.

Some attorneys will grant you a free initial consultation. Most attorneys are found through referrals. Your consultation, even if the attorney requires payment, is your chance to select the lawyer of your dreams. Get your questions ready before hand. Writing them out so you are able to read them off. If the attorney does not appear interested or if his responses are unclear maybe he is the wrong one for you.

Even you have an attorney why not call my office for a second opinion? If you doctor said you needed surgery you would seek a second opinion, would you not?

A Caution Alert About Hiding Assets!

Last but not least, an important case about a spouse hiding his or her assets came down on or about June of this year. The California Court of Appeal, in the matter of In Re Marriage of Rossi, (108 CR2nd 270). The court held that Mrs. Rossi, who won the lottery and intentionally failed to tell her husband because she was going to get a divorce, must give all the proceeds of over 1,336,000.00, to her husband. Under California Law, Family Code Section 1101(h) the court is allowed to award 100% of the undisclosed asset, plus attorneys fees, to the one spouse if the other spouse is guilty of oppression, fraud or malice. There is a biblical moral to this story.

All I can say is that it is about time some justice has crept into our judicial system.

One More Caution!

Many times what appears to be an equal split of community assets are not. That is because the portion you were given has tax consequences that your attorney either didn't know or forgot to tell you about. Most attorneys are not tax specialists.

For example, the family home can be sold and there are no taxes except long or short-term capital gains or no such tax if the party selling the property obtains a new home within the required time period. However, obtaining or cashing proceeds from retirement accounts are taxable as regular income. This most often leaves one party with a tax burden he or she was not told about.

So, obtain tax advice from your tax specialist before signing any marital settlement agreement.

If you cannot afford an attorney Mr. Radoff will be happy to prepare the necessary documents for you to represent yourself and provide you with the legal advice you need in any court in California.

For more information order Mr. Radoff's Divorce Checklist now!

ORDER: <http://www.divorce-familylaw-lawyer.com/divorcechecklist.html>

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